



357082



"Baratta, Jr., Robert M."  
<bbaratta@freebornpeters.com>

04/25/2008 09:58 AM

To Cathleen Martwick/R5/USEPA/US@EPA  
cc Mary Fulghum/R5/USEPA/US@EPA, EUGENE  
JABLONOWSKI/R5/USEPA/US@EPA, VERNETA  
SIMON/R5/USEPA/US@EPA  
bcc

Subject RE: DuSable Park

Cathy,

As we have submitted a plan to take down the mounds, we thought a formal survey would be premature. We'd like to submit a topo map of the site after the mound work is complete. Thanks.

---

**From:** Martwick.Cathleen@epamail.epa.gov [mailto:Martwick.Cathleen@epamail.epa.gov]  
**Sent:** Friday, April 11, 2008 7:13 AM  
**To:** Baratta, Bob  
**Cc:** Fulghum.Mary@epamail.epa.gov; Jablonowski.Eugene@epamail.epa.gov;  
Simon.Verneta@epamail.epa.gov  
**Subject:** RE: DuSable Park

Bob:

Any updates on the maps?

Cathy

Cathleen R. Martwick  
Associate Regional Counsel  
U.S. EPA Region 5, C-14J  
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-----"Baratta, Bob" &lt;bbaratta@freebornpeters.com&gt; wrote: -----

To: Cathleen Martwick/R5/USEPA/US@EPA  
From: "Baratta, Bob" <bbaratta@freebornpeters.com>  
Date: 02/26/2008 03:05PM  
Subject: RE: DuSable Park

No. We have not been able to get a surveyor to the site yet. As the proposed road work and work associated with the mound screening will make any new survey obsolete, we would like to provide a new topographical map after the screening work. We can discuss at your convenience.

>Robert M. Baratta, Jr.  
>Freeborn & Peters LLP  
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-----Original Message-----

From: Martwick.Cathleen@epamail.epa.gov  
[mailto:[Martwick.Cathleen@epamail.epa.gov](mailto:Martwick.Cathleen@epamail.epa.gov)]  
Sent: Tuesday, February 26, 2008 2:55 PM  
To: Baratta, Bob  
Cc: Fulghum.Mary@epamail.epa.gov; Jablonowski.Eugene@epamail.epa.gov;  
Simon.Verneta@epamail.epa.gov  
Subject: Re: DuSable Park

Bob:

Thanks for sending the mark-up of the ASAOC. Have you received the new topographical maps referenced in numbers 2 and 3 below?

Thanks, Cathy

"Baratta, Bob"  
<bbaratta@freebo  
rnpeters.com>

01/22/2008 04:08  
PM

To  
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DuSable Park

Subject

Cathy,

Below are our responses to your recent questions pertaining to the work at DuSable Park.

1. As you know, engineering firms evaluated the river wall in 2001 and 2005. In the 2001 Harza Engineering, Inc. ("Harza") report, Harza recommends that "[c]onstruction of any development at the park should limit construction loads within 20 feet of the existing river walls." As we noted to you in mid-2007, the hoarding (including jersey barriers) was installed by the permittee to create a barrier between the river wall and any construction activities, ensuring that the river wall would not be impacted by the activities at DuSable Park. The company overseeing the hoarding installation, Evans Construction ("Evans"), was aware of the 2001 study that recommended a setback. Evans adhered to the setback criteria in the 2001 Harza report with any heavy construction equipment remaining more than 20 feet from the river wall. Additionally, at your request, STS provided a written confirmation of the 20-foot setback recommendation earlier this month, finding that "surcharge loads that are placed beyond the 15 to 20 foot zone behind the seawall do not impose lateral pressure on the seawall retention system." As we have discussed, the permittee and the Chicago Park District are developing plans for the development of DuSable Park that include the installation of a new river wall (see response 4 below).

Also, during the construction of the pier support for the northbound ramp on the east side of Lake Shore Drive, the existing tie backs used to connect the sheet pile wall to a support system were found to be deteriorated. The retention system was repaired with the installation of new tie backs connected to a new concrete grade beam set approximately 50' from the exiting sheet pile wall. This repair work was reviewed and approved by the City of Chicago Department of Transportation through the Harbor Permit process. It should be noted that this repair work was performed at this time because the area would not be accessible after the new ramp construction was completed.

2. The permittee has retained a surveyor to revise the topographical map with respect to the elevations of the north mound and middle road. Once this work is complete in a week or two, the permittee will provide a revised figure for the scope of work.

3. The permittee has retained a surveyor to revise the topographical map with respect to the elevations of the north mound and middle road. Once this work is complete in a week or two, the permittee will provide a revised figure for the scope of work.

4. As stated previously, the Chicago Park District and the permittee intend to repair the river wall around the perimeter of DuSable Park. The permittee has not developed the river wall construction plans, but has developed a conceptual plan for a new river wall, which is attached. The attached plan will be part of the permit

application to the U.S. Army Corps of Engineers, but currently has not been provided to any governmental agency for review. USEPA will be notified of the permittee's submission of the permit application to the U.S. Army Corps of Engineers.

5. The permittee does not have a copy of the requested 1997 report.

6. Attached are the permits that have been applied for and/or received by the permittee with respect to the work on DuSable Park.

Also, we understand that Gene and Verneta visited the site this afternoon. As we have previously noted, we welcome their participation in the project. Indeed, we suggest that Gene and/or Verneta arrange weekly or bi-weekly visits to DuSable Park with STS. In that fashion, they can keep abreast of the work at DuSable Park and provide real time feedback and comments to STS.

<<CS-502 TYPICAL WALL SECTIONS.pdf>> <<CS-501 GENERAL SITE PLAN.pdf>>

<<CDOT Bridge Permit 07-085 09122007.pdf>> <<Permit No 1-T-07-0465 09102007.pdf>> <<CDOT Harbor Permit No. 07-085 - LSD Access Ramps.pdf>> <<CDOT Harbor Permit No. 07-088 - Directional Bore.pdf>> <<Sewer Permit 0709032.pdf>> <<Permit 727157782 - Traffic.pdf>> <<Permit 727157782 Amended - Traffic.pdf>> <<Permit 728353638 - Traffic.pdf>> <<STSAccessPermitDuSablePark.pdf>> <<CPD Access Permit 091207.pdf>>

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Freeborn & Peters LLP

<http://www.freebornpeters.com>[attachment "CS-502 TYPICAL WALL SECTIONS.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "CS-501 GENERAL SITE PLAN.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "CDOT Bridge Permit 07-085 09122007.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "Permit No 1-T-07-0465 09102007.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "CDOT Harbor Permit No. 07-085 - LSD Access Ramps.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "CDOT Harbor Permit No. 07-088 - Directional Bore.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "Sewer Permit 0709032.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "Permit 727157782 - Traffic.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "Permit 727157782 Amended - Traffic.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "Permit 728353638 - Traffic.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "STSAccessPermitDuSablePark.pdf" deleted by Cathleen Martwick/R5/USEPA/US] [attachment "CPD Access Permit 091207.pdf" deleted by Cathleen Martwick/R5/USEPA/US]